

BOARD OF DIRECTORS – ACTION SUMMARY

Wednesday, March 22, 2006 – 6:00 p.m.

**Administration Building
2101 Hurley Way, Sacramento, CA**

CALL TO ORDER

The meeting was called to order by President Engellenner. Board Members present: Duveneck, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley. Staff: Fire Chief Mette, General Counsel Margarita, Board Clerk Tilson.

PLEDGE TO FLAG

METRO CABLE 14 ANNOUNCEMENT

The open session Meeting is videotaped for cablecast on Metro Cable 14. Replay on Saturday, March 25 at 4:00 p.m. and Monday, March 27 at 6:00 p.m. on Channel 14; Webcast at www.sacmetro cable.tv. A VHS copy is also available for checkout from any library branch.

AWARDS:

COMMENDATIONS FOR DISTINGUISHED SERVICE

- a. Cecil King – KXTV Channel 10 Pilot/Reporter
- b. Matt Armenta – KXTV Channel 10 Photographer
- c. John Hamilton – KCRA Channel 3 Pilot/Reporter
- d. Ron Middlekauff – KCRA Channel 3 Photographer

A video clip aired on Channel 10 and Channel 3 was presented depicting the helicopter rescue operation that occurred on December 31 of a female trapped in the bed of her pickup truck in rapidly rising floodwaters in the vicinity of Walerga Road, north of PFE Road.

Fire Chief Mette presented commendation plaques to Matt Armenta, John Hamilton, and Ron Middlekauff in recognition of superior performance and dedication to the citizens of Sacramento during the floods on December 31, 2005 through their participation and media coverage. Cecil King was unable to attend.

COMMENDATION OF VALOR

- e. Taylor Bailey
- f. Conner Dietrich

On March 1, 2006, Miss Bailey was a passenger in the vehicle when her grandmother suffered a seizure while driving. She was instrumental in stopping the vehicle and summoning help to take her grandmother to the hospital.

On December 30, 2005, Conner Dietrich witnessed his grandfather sustain a traumatic head injury. He ran a distance to relay a message to his grandmother to call 9-1-1. Metro Fire arrived and he calmly related the details. His grandfather was transported to the hospital.

Fire Chief Mette presented both nine-year old Taylor Bailey and seven-year old Conner Dietrich with the Fire Chief's Commendation for a Courageous Act Certificate in recognition of their outstanding actions in alerting others to an emergency situation, resulting in the immediate transportation and medical attention for their family members.

PUBLIC OPPORTUNITY TO DISCUSS MATTERS OF PUBLIC INTEREST WITHIN DISTRICT JURISDICTION INCLUDING ITEMS ON OR NOT ON THE AGENDA

None

CONSENT AGENDA:

1. Board Meeting Action Summary—March 8, 2006
 - **Board Action:**
Granados/Lawson—approve Consent Agenda. Directors Duveneck, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Motion carried.

ACTION ITEM(S)

1. **Memorandum of Understanding Between Cordova Recreation and Park District and Sacramento Metropolitan Fire District—(Mette)**
 - Staff recommended Board approval and authorize the Fire Chief to execute the Memorandum of Understanding between the Park District and Sacramento Metropolitan Fire District to explore opportunities to establish co-located or joint use facilities.
 - **Board Action:**
Goold/Jones—Approve staff recommendation. Directors Duveneck, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Motion carried.

2. Resolution—Support of AB 2244 Relating to Public Employees' Retirement Benefits—(Mette)

- The clarifying amendment, as proposed in Section 10 of AB 2244, affirms the original intent of the Legislature that CalPERS members in state service are considered incapacitated when physically or mentally incapable of performing their actual duties; reestablishing the state of the law, as it was administered and applied for over 30 years, prior to the *Nolan v. City of Anaheim* decision in 2004.

AB 2244 eliminates a costly fiscal burden on CalPERS to establish a regulatory department to verify disabilities; a burden that translates into higher employer contribution rates for its contracting agencies.

- Director Duveneck expressed concern with diverting from the process of a presentation for input and discussion prior to an action item; suggested a brief synopsis of the bill be included with pros or cons on the issue.

Deputy Chief Appel stated this was submitted to the District with short notice. Urgency involves moving AB 2244 out of committee.

- In response to Director Jones, Fire Chief Mette stated that the California Professional Firefighters requested the District adopt a Resolution in support of AB 2244.
- Discussion included a matter of time sensitivity for submittal of the Resolution; AB 2244 provides support for employees based solely on the disability findings within the local agency and not on a statewide basis.
- Director Trujillo suggested a copy of AB 2244 be provided to the Board.
- Director Goold suggested in accordance with past practice that issues be considered initially as Presentation Items for discussion; if deemed time-sensitive, the issue can then be moved for action by a super majority.
- Staff recommends adoption of the Resolution and authorization to send a letter to the Assembly Public Employees, Retirement and Social Security Committee at the State Capitol in support of AB 2244.

- **Board Action:**

Granados/Lawson—approve staff recommendation and adopt the Resolution. Directors Duveneck, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Motion carried.

3. 2006/07 Tax Revenue Anticipation Notes (TRAN) Issue—(Appel)

- The Board authorized staff at its meeting of February 22, 2006, to consult with Dennis Ciocca of Sutter Securities to evaluate the financial advantages for the District in issuing another Stand-Alone TRAN or participate in a Pooled TRAN to enhance the District's 2006/07 revenue.
- The District's Financial Advisor, Dennis Ciocca, has reviewed and evaluated staff's analysis related to the District's 2006/07 TRAN and concurs with staff that the benefits of issuing a Stand-Alone TRAN outweigh participation in a Pooled TRAN.
- Staff recommends the services of Dennis Ciocca of Sutter Securities be utilized to proceed with issuing another Stand-Alone TRAN to enhance the District's 2006/07 revenues.
- When the process is ready to be presented, it will be brought before the Finance Committee and then to the full Board for adoption.
- **Board Action:**
Duveneck/Jones—approve staff recommendation to move forward to establish a stand-alone TRAN. Directors Duveneck, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Motion carried.

PRESENTATION ITEM (S)**1. 2006 Annual Deferred Compensation Program Update—(Matt Reyman)**

[Taken out of order after Presentation Item #2]

- A two-page staff report was submitted updating the Board on the activities and progress of the Deferred Compensation Program during calendar year 2005.
- An RFI for a consultant has been released. The consultant will assist in preparing a Request for Proposal (RFP) for a Third Party Administrator (TPA). The services of AIG Valic have been very satisfactory but a 5-year competitive bid process insures continued service excellence. Prior to contracting with a new TPA, the issue will be brought back to the Board with any updates.
- Distributed a report with current statistics. The District has 730 eligible employees – 536 are in the plan for a 73.4% participation rate. Average monthly deferral is \$665. Combined sustainable monthly deferral is over \$350,000. During calendar year 2005, Total Assets grew from \$46.2 million to \$54.8 million for an 18.56% increase in growth including ongoing contributions. Assets to date are \$57.4 million.

- **Board Action:**
Informational item to be placed on file.

2. McClellan Business Park Annexation Update—(Appel)

- A two-page staff report containing background information was submitted on the status of the McClellan Park Annexation application with the Sacramento Local Agency Formation Commission (LAFCo).
- The LAFCo public hearing on this annexation is scheduled for June 7, 2006.

PRESIDENT'S REPORT—(Engellenner) None

FIRE CHIEF'S REPORT—(Mette)

- Incident report since the last meeting:
 - Eight working structure fires with one second alarm.
- April 18, 2006 – Government Affairs Day – Distributed copies of the California Special District Association notice. If anyone is interested, contact Board Clerk Tilson.
- March 21, 2006 – Attended first 2 x 2 Committee meeting with City of Rancho Cordova. Second meeting is scheduled in June with quarterly meetings planned.
- March 23 and 24, 2006 – out of the office with Deputy Chief Ritter in charge.

GENERAL COUNSEL'S REPORT—(Margarita) None

COMMITTEE AND DELEGATE REPORTS:

Executive Committee—(Engellenner)

- Next meeting: TBA

Communications Center Delegate—(Valley)

- Next Meeting: March 28, 2006 – 10:30 AM

California Fire & Rescue Training Authority—(Goold)

- Next meeting: April 7, 2006 – 10 AM

Finance Committee—(Kelly)

- Next meeting: April 12, 2006 – 5:00 p.m.

Policy Committee—(Lawson)

- Received presentation. Sacramento Metropolitan Fire District Self-Assessment and Accreditation issue deferred until the next meeting pending a report back on the workshop.
- Next meeting: April 26, 2006 – 5:00 p.m.

BOARD MEMBER QUESTIONS AND COMMENTS:**Kelly:**

- Great to see the individuals here tonight that helped members of the public in tremendous need. Appreciate everything that the Sacramento Metropolitan Fire District personnel do on a daily basis. Drives it home when you see others who appreciate it as well.

Goold:

- Echoes Director Kelly's remarks. We know what our personnel do every day and it is nice to hear our colleagues in the community recognize that as well.
- Challenges colleagues to address the Policy Committee on the report that came out last week in the Sacramento Bee. It talked about access to documents that were in a Closed Session. Incumbent upon this organization to develop a policy-tracking program of Closed Session documents so this does not happen again.

Granados:

- Thanked Fire Chief Mette and staff for setting up the City of Rancho Cordova 2 x 2 Committee meeting.
- Thanked City of Rancho Cordova Vice-Mayor Sander for the invitation to the corned beef and cabbage meeting on Friday, March 17.
- Expressed concerns on the Closed Session – the documents were supposed to stay here but he knew one didn't and was disturbed by that fact.

Duveneck:

- He was the one that kept his document and still has it. Disturbed by the fact that it was released by someone who had access, which makes this an open document. Would like to pursue this.

- Thanked the Metro Fire personnel who attended the Arden Arcade Community Health and Safety Workshop last Saturday and the community leaders who put the workshop together. Recognized the Point West Rotary who provided the lunches. Past Fire Chief Martinez gave a very good presentation.

Jones:

- Spoke with the Community Services Division. On April 9, we will be coordinating an event with Golden State Donor Services. More information will be forthcoming. A fellow donor transplant from Southern California who is a firefighter will be traveling through our area that day. Would like to make it a media event with neighboring agencies to help support Golden State Donor Services.
- Thanked Fire Chief Mette for setting up the Rancho Cordova 2 x 2 meeting. Good discussion on the need for ongoing new station building, along with the tremendous growth occurring there and the revenue streams needed to maintain service.
- The report leaked to the Sacramento Bee becomes public information and that burden rests on the individual(s) who put this out. It creates jeopardy for each individual and our entire organization. Will support any constructive items that the Policy Committee can bring to the full Board.

Valley:

- Troubled with the item that went to the Sacramento Bee. During his ten years on the Board nothing has leaked, in particular, personnel issues. Asked Counsel Margarita about penalties and requirements to the Board when this occurs.

General Counsel Margarita stated the penalties include referrals to the District Attorney's Office, Grand Jury for prosecution; also civil penalties, discipline, and potential removal from office.
- Director Valley stated we might want to consider doing this. To maintain the trust of our personnel, we should never by law go out to the public with this information.

Trujillo:

- Thanked the award recipients for their acts of valor and bravery, especially the two young children who were able to respond like they did.
- Thanked staff for their excellent reports.
- Also troubled with the leaks. Will look forward to working with his other two colleagues on the Policy Committee to come up with a policy that can address this issue.

- The helicopter audit is forthcoming and would like to raise this issue again. It is a wonderful program and vital to the community. Only concern is the Bee article stated we paid twice what the Board was told. For the constituents and public he represents, he would like to know exactly what we paid and the cost to-date. Hopefully, questions of concern he submitted can be answered.

Fire Chief Mette stated the estimated audit completion date is April 14, for presentation to the Board on April 26.

Lawson:

- Impressed with the maturity of the two young award recipients. The families have done a great job in mentoring the two individuals. Many adults cannot handle these situations.
- Thanked the staff for their reports this evening.
- Would like to visit the subject brought up by Director Duveneck and other members (process of Presentation and Action Items). A copy of the Legislative Analyst pros and cons can be secured to prevent doing an up and down referral in getting a time-sensitive issue before the Board that would make it easier.

In response to a question on a previous issue discussed, Counsel Margarita confirmed there was no need to refer it to the Policy Committee.

- Expressed concern with the whole Board in Metro being compromised by issues hitting the media that should not come out of Closed Session. Many issues come before the Board in Closed Session that need to be governed concerning employment and other things. Need to establish a uniform policy with impact on the individuals that may be involved. Requested General Counsel submit a recommendation at the next Policy Committee meeting.

Counsel Margarita stated there are a lot of things to implement procedures from a legal end.

ADJOURNMENT – The meeting was adjourned at 7:10 p.m.

H. Peter Engellenner, President

Ray Trujillo, Secretary

Charlotte Tilson, Clerk of the Board